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State of Utah
DEPARTMENT OF NATURAL RESOURCES
DIVISION OF OIL, GAS AND MINING

Michael O. Leavitt
Governor

Kathleen Clarke
Executive Director

Lowell P. Braxton
Division Director

1594 West North Temple, Suite 1210

PO Box 145801

Salt Lake City, Utah 84114-5801

801-538-5340

801-359-3940 (Fax)

801-538-7223 (TDD)

January 29, 2002

Johnny Pappas, Sr. Environmental Engineer
Plateau Mining Corporation
847 Northwest Highway 191
Helper, Utah 84526

Re: Permit Renewal, Plateau Mining Corporation, Star Point Mine, C/007/006-RN01,
Outgoing File

Dear Mr. ^{Jenny}Pappas:

The permit renewal for the Star Point Mine is approved, effective January 28, 2002. Enclosed is the State Decision Document for this Permit Renewal, which includes two (2) copies of the renewed permanent program permit for the Star Point Mine. Please read the permit to be sure you understand the requirements of the permit, then have both copies signed by the appropriate Plateau Mining Corporation officer and return one to the Division.

If you have any questions, please call me.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Lowell'.

Lowell Braxton
Director

sm

Enclosures

cc: Jim Fulton, OSM-WRCC
Price Field Office

O:\007006.STP\FINAL\PERMIT\DD_RN01.doc

**UTAH DIVISION OF OIL, GAS AND MINING
STATE DECISION DOCUMENT**

Plateau Mining Corporation
Five-Year Renewal
Star Point Mine
C/007/006
Carbon County, Utah
January 28, 2002

CONTENTS

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- * Location Map
- * Permitting Chronology
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- * Affidavit of Publication
- * AVS Memo to File, dated January 24, 2002

ADMINISTRATIVE OVERVIEW

Plateau Mining Corporation
Five-Year Renewal
Star Point Mine
C/007/006
Carbon County, Utah
January 28, 2002

PROPOSAL

Plateau Mining Corporation proposes to renew the permit for the Star Point Mine which is currently undergoing permanent or final reclamation.

BACKGROUND

Mining in the area of the Star Point Mines began in 1917 and continued until 2000 under various companies. Cyprus Plateau Mining Corporation (previous permittee) acquired the property in 1980 and undertook the process of permitting the mine under the Surface Mining Control and Reclamation Act of 1977.

The original permit for the Star Point Mine was issued on January 28, 1987, and was renewed on January 28, 1992 and January 28, 1997. A reclamation surety bond in the amount of \$10,581,000 is currently posted for reclamation at the Star Point Mine.

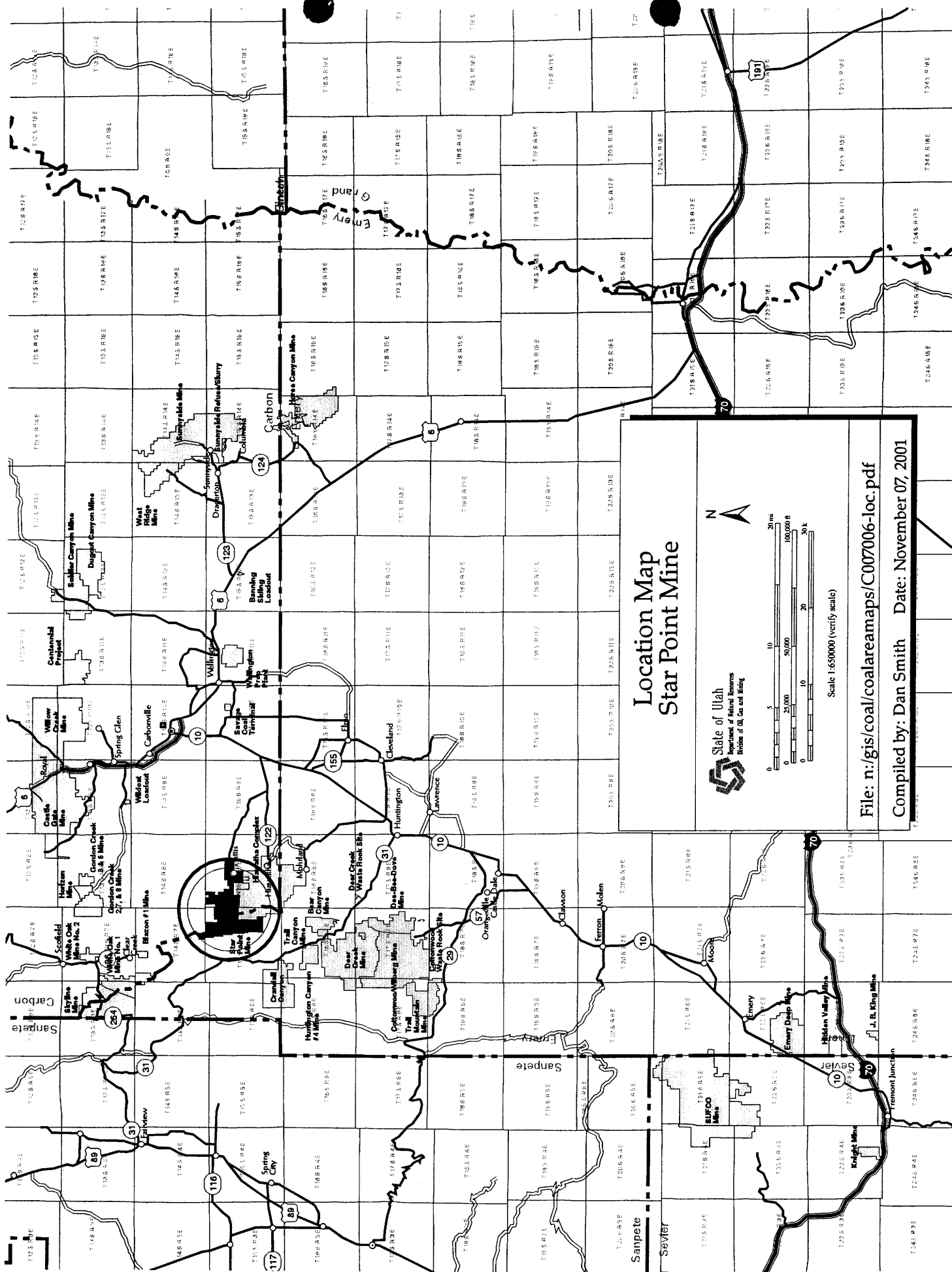
Cyprus Plateau Mining Corporation submitted an application for the entire Castle Valley Ridge Lease Area, approximately 2000 acres, in September 1991. Three incidental boundary changes were approved for this lease dated September 27, 1991, July 1, 1993, and January 13, 1994. The entire Castle Valley Ridge Lease received mining plan approval on February 1, 1995.

A name change from Cyprus Plateau Mining Company to Plateau Mining Corporation was approved on June 30, 1999. The site went into temporary cessation on February 11, 2000 and notice of permanent cessation was on June 5, 2000. Reclamation commenced on September 17, 2001 and is still ongoing.

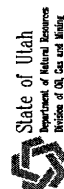
This permit renewal application was received on September 17, 2001.

RECOMMENDATION

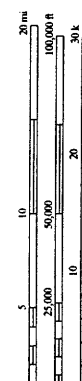
The application for a successive permit renewal has met the requirements for approval. The permit renewal was advertised in the Sun Advocate and Emery County Progress on November 6, 13, 20, 27, 2001. No comments were received. This permit renewal should be approved.



Location Map Star Point Mine



State of Utah
Department of Natural Resources
Division of Oil, Gas and Mining



Scale 1:650,000 (verify scale)

File: n:/gis/coal/coalearemaps/C007006-loc.pdf

Compiled by: Dan Smith Date: November 07, 2001

PERMITTING CHRONOLOGY

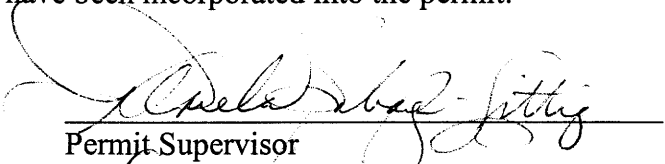
Plateau Mining Corporation
Five-Year Renewal
Star Point Mines
C/007/006
Carbon County, Utah
January 28, 2002

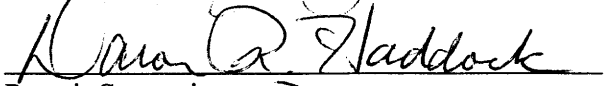
September 17, 2001	Permit Renewal Application received.
October 31, 2001	Notification to Plateau Mining Corporation that the permit renewal application was determined complete. Letter of Determination of Completeness for permit renewal distributed to federal, state, and local agencies.
November 6, 13, 20, 27, 2001	Advertisement of permit renewal for the Star Point Mines in the <u>Sun Advocate</u> and <u>Emery County Progress</u> .
December 27, 2001	No adverse comments received.
January 28, 2002	Permit renewed.

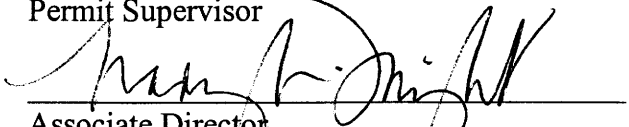
FINDINGS

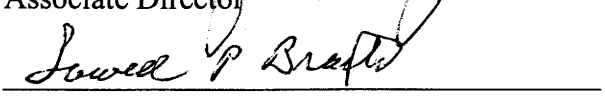
Five-Year Renewal
Plateau Mining Corporation
Star Point Mines
C/007/006
January 28, 2002

1. Application for a permit renewal was made on September 17, 2001 (R645-303.233.100).
2. The terms and conditions of the permit within the approved boundaries of the existing permit area are being satisfactorily met (R645-303-233.110).
3. The present coal mining and reclamation operations are in compliance with the environmental protection standards of the State Program (R645-303-233.120).
4. The requested renewal does not substantially jeopardize the operator's continuing ability to comply with the State Program on existing permit areas (R645-303-233.130).
5. The operator has provided evidence of having liability insurance in full force and effect (Insurance Company of the State of Pennsylvania - GL5442249). (R645-303-233.140)
6. The operator has provided evidence that performance bonds are in effect for the operation and will continue in full force and effect for the proposed period of renewal (National Union Fire Insurance Company of Pittsburgh, PA. - Bond Number #210067-096 in the amount of \$3,527,000, Travelers #1031918931 in the amount of \$3,527,000 in the amount of \$3,527,000 and St. Paul Fire and Marine Insurance Company - Bond Number KA2990-096 in the amount of \$3,527,000 for a total of 10,581,000). (R645-303-233.150)
7. For the most recent permit term, permit changes ordered by the Division and notices of violation requiring a permit change have been incorporated into the permit.


Permit Supervisor


Permit Supervisor


Associate Director


Director

FEDERAL

PERMIT
C/007/006

January 28, 2002

STATE OF UTAH
DEPARTMENT OF NATURAL RESOURCES
DIVISION OF OIL, GAS AND MINING
1594 West North Temple
Salt Lake City, Utah 84114-5801
(801) 538-5340

This permit, C/007/006, is issued for the state of Utah by the Utah Division of Oil, Gas and Mining (Division) to:

Plateau Mining Corporation
847 Northwest Highway 191
Helper, Utah 84526
(435) 472-0475

for the Star Point Mines. A Surety Bond is filed with the Division in the amount of \$10,581,000, payable to the State of Utah, Division of Oil, Gas and Mining and the Office of Surface Mining Reclamation and Enforcement (OSM). The Division must receive a copy of this permit signed and dated by the permittee.

Sec. 1 STATUTES AND REGULATIONS - This permit is issued pursuant to the Utah Coal Mining and Reclamation Act of 1979, Utah Code Annotated (UCA) 40-10-1 et seq, hereafter referred to as the Act.

Sec. 2 PERMIT AREA - The permittee is authorized to conduct coal mining and reclamation operations on the following described lands within the permit area at the Star Point Mines, situated in the state of Utah, Carbon County, and located in:

Township 14 South, Range 7 East, SLB & M

Section 34: Lots 3, 4, N1/2 SE1/4

Township 15 South, Range 7 East, SLB & M

Section 1: S1/2;

Section 2: Lots 2 through 7, 10 through 12, SW1/4, W1/2SE1/4, SE1/4SE1/4

Section 3: Lots 1,2, 7 through 10, E1/2SE1/4, E1/2W1/2SE1/4

Section 10: E1/2E1/2, E1/2NW1/4NE1/4;

Section 11: All;

Section 12: All;

Section 13: N1/2

Section 14: All;
Section 15: E1/2E1/2NE1/4, E1/2E1/2SE1/4
Section 22: E1/2E1/2NE1/4NE1/4, E1/2SE1/4NE1/4, E1/2NE1/4SE1/4,
E1/2SE1/4SE1/4;
Section 23: All;
Section 25: W1/2NW1/4;
Section 26: N1/2; and
Section 27: Parts of E1/2E1/2NE1/4NE1/4.

Township 15 South, Range 8 East

Section 5: Lots 4, 5, 12, NW1/4 SW1/4;
Section 6: Lots 2, 3, 6, 7, 8, 9, 10, 11, 14, E1/2 SW1/4, SE1/4;
Section 7: All;
Section 8: W1/2 NW1/4, SW1/4, SE1/4SE1/4, S1/2SW1/4SE1/4;
Section 9: SW1/4 SW1/4, E1/2 SW1/4, SE1/4;
Section 10: SW1/4, W1/2 SE1/4, SE1/4 SE1/4;
Section 15: N1/2 N1/2;
Section 16: All;
Section 17: E1/2, NW1/4, NW1/4 SW1/4 North of the
Right Fork of Miller Creek;
Section 18: N1/2, N1/2 SE1/4, NE1/4 SW1/4, N1/2 NW1/4
SW1/4;
Section 20: NE1/4; and
Section 21: E1/2 NW1/4.

This legal description is for the permit area of the Star Point Mines. The permittee is authorized to conduct coal mining and reclamation operations on the foregoing described property subject to the conditions of all applicable conditions, laws and regulations.

Sec. 3 COMPLIANCE - The permittee will comply with the terms and conditions of the permit, all applicable performance standards and requirements of the State Program.

Sec. 4 PERMIT TERM - This permit becomes effective on January 28, 2002 and expires on January 27, 2007.

- Sec. 5 ASSIGNMENT OF PERMIT RIGHTS** - The permit rights may not be transferred, assigned or sold without the prior written approval of the Division Director. Transfer, assignment or sale of permit rights must be done in accordance with applicable regulations, including but not limited to 30 CFR 740.13 {e} and R645-303-300.
- Sec. 6 RIGHT OF ENTRY** - The permittee shall allow the authorized representative of the Division, including but not limited to inspectors, and representatives of the Office of Surface Mining Reclamation and Enforcement (OSM), without advance notice or a search warrant, upon presentation of appropriate credentials, and without delay to:
- (a) have the rights of entry provided for in 30 CFR 840.12, R645-400-220, 30 CFR 842.13 and R645-400-110;
 - (b) be accompanied by private persons for the purpose of conducting an inspection in accordance with R645-400-100 and R645-400-200 when the inspection is in response to an alleged violation reported to the Division by the private person.
- Sec. 7 SCOPE OF OPERATIONS** - The permittee shall conduct underground coal mining activities only on those lands specifically designated as within the permit area on the maps submitted in the approved plan and approved for the term of the permit and which are subject to the performance bond.
- Sec. 8 ENVIRONMENTAL IMPACTS** - The permittee shall take all possible steps to minimize any adverse impact to the environment or public health and safety resulting from noncompliance with any term or condition of the permit, including, but not limited to:
- (a) Any accelerated or additional monitoring necessary to determine the nature and extent of noncompliance and the results of the noncompliance;
 - (b) immediate implementation of measures necessary to comply; and
 - (c) warning, as soon as possible after learning of such noncompliance, any person whose health and safety is in imminent danger due to the noncompliance.

Sec. 9 CONDUCT OF OPERATIONS - The permittee shall conduct its operations:

- (a) in accordance with the terms of the permit to prevent significant, imminent environmental harm to the health and safety of the public; and
- (b) utilizing methods specified as conditions of the permit by the Division in approving alternative methods of compliance with the performance standards of the Act, the approved Utah State Program and the Federal Lands Program.

Sec. 10 EXISTING STRUCTURES - As applicable, the permittee will comply with R645-301 and R645-302 for compliance, modification, or abandonment of existing structures.

Sec. 11 RECLAMATION FEE PAYMENTS - The operator shall pay all reclamation fees required by 30 CFR Part 870 for coal produced under the permit, for sale, transfer or use.

Sec. 12 AUTHORIZED AGENT - The permittee shall provide the names, addresses and telephone numbers of persons responsible for operations under the permit to whom notices and orders are to be delivered.

Sec. 13 COMPLIANCE WITH OTHER LAWS - The permittee shall comply with the provisions of the Water Pollution Control Act (33 USC 1151 et seq.) and the Clean Air Act (42 USC 7401 et seq), UCA 26-11-1 et seq, and UCA 26-13-1 et seq.

Sec. 14 PERMIT RENEWAL - Upon expiration, this permit may be renewed for areas within the boundaries of the existing permit in accordance with the Act, the approved Utah State Program and the Federal Lands Program.

Sec. 15 CULTURAL RESOURCES - If during the course of mining operations, previously unidentified cultural resources are discovered, the permittee shall ensure that the site(s) is not disturbed and shall notify the Division. The Division, after coordination with OSM, shall inform the permittee of necessary actions required. The permittee shall implement the mitigation measures required by Division within the time frame specified by Division.

Sec. 16 DISPOSAL OF POLLUTANTS - The permittee shall dispose of solids, sludge filter backwash or pollutants in the course of treatment or control of waters or emission to the air in the manner required by the approved Utah State Program and the Federal Lands Program which prevents violation of any applicable state or federal law.

Sec. 17 APPEALS - The permittee shall have the right to appeal as provided for under R645-300-200.

Sec. 18 SPECIAL CONDITIONS - There are special conditions associated with this permitting actions as described in Attachment A.

The above conditions (Secs. 1-18) are also imposed upon the permittee's agents and employees. The failure or refusal of any of these persons to comply with these conditions shall be deemed a failure of the permittee to comply with the terms of this permit and the lease. The permittee shall require his agents, contractors and subcontractors involved in activities concerning this permit to include these conditions in the contracts between and among them. These conditions may be revised or amended, in writing, by the mutual consent of the Division and the permittee at any time to adjust to changed conditions or to correct an oversight. The Division may amend these conditions at any time without the consent of the permittee in order to make them consistent with any federal or state statutes and any regulations.

THE STATE OF UTAH

By: Lawell P. Branta

Date: 2-1-02

I certify that I have read, understand and accept the requirements of this permit and any special conditions attached.

**Authorized Representative of
the Permittee**

Date: _____

ATTACHMENT A
Special Conditions

- 1) Plateau Mining Corporation (PMC) must continually comply with the Pittston's settlement agreements, VICC settlement agreement and the Enterprise settlement as identified in the Applicant Violator System, see memo dated January 24, 2002 from Pamela Grubaugh-Littig to file. PMC must notify the Division within thirty days of the resolution of these settlements.
- 2) Plateau Mining Corporation must submit water quality data for the Star Point Mine in an electronic format through the Electronic Data Input web site, <http://hlunix.hl.state.ut.us/cgi-bin/appx-ogm.cgi>.


AFFIDAVIT OF PUBLICATION

STATE OF UTAH)

SS.

County of Carbon,)

I, Kevin Ashby, on oath, say that I am the Publisher of the Sun Advocate, a twice-weekly newspaper of general circulation, published at Price, State a true copy of which is hereto attached, was published in the full issue of such newspaper for 4 (Four) consecutive issues, and that the first publication was on the 6th day of November, 2001, and that the last publication of such notice was in the issue of such newspaper dated the 27th day of November, 2001.

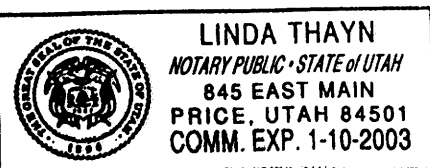

Kevin Ashby - Publisher

Subscribed and sworn to before me this 27th day of November, 2001.



Notary Public My commission expires January 10, 2003 Residing at Price, Utah

Publication fee, \$ 669.68



**NOTICE OF APPLICATION
PERMIT RENEWAL**

Star Point Mine
Plateau Mining Corporation
Carbon County, Utah
Permit C/007/006, Approved 01/28/92

Notice is hereby given that Plateau Mining Corporation, 847 Northwest Highway 191, Helper, Utah 84526, a subsidiary of RAG American Coal Company, 999 Corporate Blvd., Linthicum Heights, MD 21090, has filed an application with the Utah Department of Natural Resources, Division of Oil, Gas and Mining for renewal of Permit C/007/006 to operate under the provisions of the Utah Coal Mining and Reclamation Act pursuant to R645-303-300 of the Utah Coal Program Regulations. The permit area is located in Carbon and Emery counties, Utah as follows:

Township 14 South, Range 7 East SLB&M

Section 34: Lots 3,4, N1/2SE1/4

Township 15 South, Range 7 East, SLB&M

Section 1: S1/2

Section 2: Lots 2 through 7, 10 through 12, SW1/4, W1/2SE1/4, SE1/4SE1/4

Section 3: Lots 1, 2, 7 through 10, E1/2SE1/4, E1/2W1/2SE1/4

Section 10: E1/2E1/2, E1/2, E1/2NW1/4NE1/4

Section 11: All

Section 12: All

Section 13: N1/2

Section 14: All

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Section 22: E1/2E1/2NE1/4NE1/4, Parts of E1/2SE1/4SE1/4, Parts of E1/2NE1/4SE1/4, Parts of E1/2E1/2SE1/4E1/4

Section 23: All

Section 25: W1/2NW1/4

Section 26: N1/2

Section 27: E1/2E1/2NE1/4NE1/4

Township 15 South, Range 8 East, SLB&M

Section 5: Lots 4, 5, 12, NW1/4SW1/4

Section 6: Lots 2, 3, 6, 7, 8, 10, 11, 14, E1/2 SW1/4, SE1/4

Section 7: All

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Section 9: SW1/4SW1/4, E1/2SW1/4, SE1/4

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Section 15: N1/2N1/2

Section 16: All

Section 17: E1/2, NW1/4, NW1/4SW1/4 North of the Right Fork Miller Creek

Section 18: N1/2, N1/2SE1/4, NE1/4SW1/4, N1/2NW1/4SW1/4

Watts and Hiawatha.

The Mining and Reclamation Plan is available for public review at: Utah Division of Oil, Gas and Mining, 1594 West North Temple, Suite 1210, Salt Lake City, Utah 84114-5801, at the Emery Courthouse, 75 East Main, Castle Dale, Utah 84513 and at the Carbon County Courthouse, 120 East Main Street, Price, Utah 84501.

Written comments, objections and requests for information conferences on this proposal may be addressed to:

Utah Coal Program
Utah Division of Oil, Gas and Mining
1594 West North Temple, Suite 1210
P.O. Box 145801
Salt Lake City, Utah 84114-5801

Closing date for submission of such comments, objections and requests for public hearing or information conference on this proposal must be submitted by December 27, 2001.

and published in the Sun Advocate November 8, 15, 20 and 27, 2001.

AFFIDAVIT OF PUBLICATION

STATE OF UTAH)

SS.

County of Emery,)

I, Kevin Ashby, on oath, say that I am the Publisher of the Emery County Progress, a weekly newspaper of general circulation, published at Castle Dale, State and County aforesaid, and that a certain notice, a true copy of which is hereto attached, was published in the full issue of such newspaper for 4 (Four) consecutive issues, and that the first publication was on the 6th day of November, 2001 and that the last publication of such notice was in the issue of such newspaper dated the 27th day of November 2001.



Kevin Ashby - Publisher

Subscribed and sworn to before me this 27th day of November, 2001.



Notary Public My commission expires January 10, 2003 Residing at Price, Utah

Publication fee, \$ 480.48

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Carbon County, Utah
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Section 18: N1/2, N1/2SE1/4, NE1/4SW1/4, N1/2NW1/4SW1/4

Section 20: NE1/4

Section 21: E1/2NW1/4

Gas and Mining, 1594 West North Temple, Suite 1210, Salt Lake City, Utah 84114-5801, at the Emery Courthouse, 75 East Main, Castle Dale, Utah 84513 and at the Carbon County Courthouse, 120 East Main Street, Price, Utah 84501.

Written comments, objections and requests for information conferences on this proposal may be addressed to:

Utah Coal Program
Utah Division of Oil, Gas and Mining
1594 West North Temple, Suite 1210
P.O. Box 145801
Salt Lake City, Utah 84114-5801

Closing date for submission of such comments, objections and requests for public hearing or information conference on this proposal must be submitted by December 27, 2001.



LINDA THAYN
NOTARY PUBLIC - STATE of UTAH
845 EAST MAIN
PRICE, UTAH 84501
COMM. EXP. 1-10-2003



State of Utah
DEPARTMENT OF NATURAL RESOURCES
DIVISION OF OIL, GAS AND MINING

Michael O. Leavitt
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Executive Director

Lowell P. Braxton
Division Director

1594 West North Temple, Suite 1210

PO Box 145801

Salt Lake City, Utah 84114-5801

801-538-5340

801-359-3940 (Fax)

801-538-7223 (TDD)

January 24, 2002

TO: Compliance File

FROM: Pamela Grubaugh-Littig, Permit Supervisor *pgl*

RE: AVS Recommendation, Plateau Mining Corporation, Star Point Mine, C/007/006, Outgoing File

As of the writing of this memo, there are no outstanding violations or cessation orders for the Star Point Mines nor delinquent civil penalties or bond forfeitures. Neither the applicant, nor any person who owns or controls the applicant, nor any person owned or controlled by the applicant is currently in violation of any laws, rules or regulations referred to in R645-300-132.

Attached is the AVS recommendation for the Plateau Mining Corporation Star Point Mine dated January 24, 2002. There are three settlement agreements that are coded C (which means that they are in the process of being resolved.) These are: The Enterprise settlement for KY permits 0985150 and 8670335, state violations written against VA permit 1100428 and 1100580 under the VICC settlement, and the remaining violation under the Pittston settlements. The permit has been conditioned to continue compliance with these settlement agreements and notify the Division when the issues are resolved.

O:\007006.STP\COMPLIANCE\AVS_012402.DOC

State : UT Permit No : CT007006

Appl No ACT007006

Permittee : 147847(PLATEAU MINING CORP)

Seqno : 4

Applicant : 147847(PLATEAU MINING CORP)

OSMRE: Comments/Analysis: Date : 23-Jan-2002 Mode : UPDATE

All state violations written against KY permits 0985150 and 8670335 are under Enterprise settlement. The state violations written against KY permits 8675088, 8985306 and 8670346 are coded 'C', indicating a settlement, payment plan, or pending challenge. All state violations written against VA permits 1100428 and 1100580 are under VICC settlement. The remaining violations are under Pittston settlements.
be

SRA: Comments/Analysis: Date :

Mode : VIEW

SAVE(F5)

DELETE(F8)

PRV_SCR(F3)

QUIT(F4)

CHOICES(F10)